

DAVID R. FISCHER, ESQ.
Nevada Bar No. 10348
LAW OFFICE OF DAVID R. FISCHER
400 South 4th Street, Suite 500
Las Vegas, Nevada 89101
Telephone: (702) 547-3944
Facsimile: (702) 974-1458
Email: federal@fischerlawlv.com
Attorney for Defendant MURRAY NEWTON

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,

vs.

MURRAY NEWTON,
Defendant.

Case No.: 2:17-cr-00124-JAD-GWF

**STIPULATION TO CONTINUE
HEARING FOR SENTENCING**

(Second Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich, United States Attorney, Robert A. Knief, Esq., Assistant United States Attorney, and David R. Fischer, Esq., counsel for defendant MURRAY NEWTON, that the Hearing for Sentencing in the above-captioned matter set for Thursday, August 8, 2019 at 09:30 A.M., be vacated and continued to a date and time convenient to the Court but no earlier than one hundred twenty (120) days.

This Stipulation for the continuance is entered into for the following reasons:

1. This is a request by counsel for the Defendant, MURRAY NEWTON;

2. The additional time requested by this Stipulation is reasonable pursuant to Federal Rule of Criminal Procedure 32(b)(2), which states that “the court may, for good cause, change any limits prescribed in this rule”;
3. Counsel requests this additional time in order to allow adequate time to research Sentencing issues and to prepare for the sentencing hearing;
4. Counsel began trial for a complex RICO/VICAR case on July 29, 2019 [Case no. 2:16-cr-00265-GMN-CWH], which Judge Navarro estimates to last anywhere between twelve (12) and sixteen (16) weeks;
5. Counsel communicated with the Defendant, MURRAY NEWTON, who is currently out of custody, and NEWTON agrees with the continuance;
6. This is the second request for a continuance filed herein.

WHEREFORE, for the foregoing reasons, the ends of justice would best be served by a continuance of the Sentencing Hearing to be set to a date and time convenient to the Court but no earlier than one hundred twenty (120) days.

DATED this 5th day of August 2019

/s/ Robert A. Knief
ROBERT A. KNIEF, ESQ.
Assistant United States Attorney
Counsel for the United States

/s/ David R. Fischer
DAVID R. FISCHER, ESQ.
Counsel for Defendant NEWTON

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

/s/ David R Fischer
DAVID R. FISCHER, ESQ.
Attorney for Defendant NEWTON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No.: 2:17-cr-00124-JAD-GWF

MURRAY NEWTON,

Defendant.

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the
Court finds that:

This Stipulation for the continuance is entered into for the following reasons:

7. This is a request by counsel for the Defendant, MURRAY NEWTON;
8. The additional time requested by this Stipulation is reasonable pursuant to Federal Rule of Criminal Procedure 32(b)(2), which states that “the court may, for good cause, change any limits prescribed in this rule”;
9. Counsel requests this additional time in order to allow adequate time to research Sentencing issues and to prepare for the sentencing hearing;
10. Counsel began trial for a complex RICO/VICAR case on July 29, 2019 [Case no. 2:16-cr-00265-GMN-CWH], which Judge Navarro estimates to last anywhere between twelve (12) and sixteen (16) weeks;
11. Counsel communicated with the Defendant, MURRAY NEWTON, who is currently out of custody, and NEWTON agrees with the continuance;

1 12. This is the second request for a continuance filed herein.

2 WHEREFORE, for the foregoing reasons, the ends of justice would best be served by a
3 continuance of the Sentencing Hearing to be set to a date and time convenient to the Court but
4 no earlier than one hundred twenty (120) days.

5 **CONCLUSIONS OF LAW**

6 The ends of justice served by granting said continuance outweigh the best interest of the
7 public, since the failure to grant said continuance would be likely to result in a miscarriage of
8 justice, would deny the parties herein sufficient time and the opportunity within which to be
9 able to effectively and thoroughly prepare for sentencing, taking into account the exercise of
10 due diligence.

11 **ORDER**

12 IT IS HEREBY ORDERED that the Sentencing Hearing currently scheduled for
13 Thursday, August 8, 2019 at 09:30 A.M., be continued to December 16, 2019, at the hour
14 of 10:00 a.m.

15
16
17 **IT IS SO ORDERED:**

18 
19 **HONORABLE JENNIFER A. DORSEY**

20 **UNITED STATES DISTRICT JUDGE**

21 Case No.: 2:17-cr-00124-JAD-GWF

22 DATED: 8/6/2019
23
24